

United States District Court

EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

UNITED STATES OF AMERICA

V.

MARCELINO MARTINEZ-DON JUAN

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CASE NO. 4:10cr5

(Judge Schneider)

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND FINDING DEFENDANT GUILTY ON COUNT ONE OF THE INDICTMENT

On this day, the Court considered the Findings of Fact and Recommendation of United States Magistrate Judge Amos L. Mazzant regarding Defendant's plea of guilty to Count One of the Indictment in the above-numbered cause. Having conducted a proceeding in the form and manner prescribed by Fed. R. Crim. P. 11, the Magistrate Judge recommends that the Court accept the guilty plea of the Defendant. The Court is of the opinion that the Findings of Fact and Recommendation should be accepted.

It is accordingly ORDERED that the Findings of Fact and Recommendation of the United States Magistrate Judge are hereby ADOPTED.

It is further ORDERED that the Defendant's guilty plea is accepted and approved by the Court. Further, the Court grants Defendant's request that the presentence report in this case be waived, and sentencing will be set for hearing at the Court's earliest convenience.

It is finally ORDERED that, pursuant to the Defendant's plea agreement, the Court finds the Defendant GUILTY of Count One of the Indictment in the above-numbered cause and enters a JUDGMENT OF GUILTY against the Defendant as to Count One of the Indictment.

SO ORDERED.

SIGNED this 1st day of March, 2010.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE